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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/643,102 | 08/18/2003 | Mark Krier | 024833-2602 | 3314 |
| 30542 FOLEY & LAR | 7590 04/23/200° DNER LLP | EXAMINER | | |
| P.O. BOX 8027 SAN DIEGO, C | _ | A, MINH D | | |
| SAN DIEGO, C | A 92136-0276 | ART UNIT | PAPER NUMBER | |
| | | | 2821 | |
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| SHORTENED STATUTORY | Y PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE | |
| 31 DAYS . | | 04/23/2007 | PAPER | |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| 1)⊠ Responsive to communication(s) filed on 1/29/07. 2a)□ This action is FINAL. 2b)□ This action is non-final. 3)□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4)☑ Claim(s) 1-25 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5)□ Claim(s) is/are allowed. 6)□ Claim(s) is/are objected to. 8)☑ Claim(s) 1-25 are subject to restriction and/or election requirement. Application Papers 9)□ The specification is objected to by the Examiner. 10)□ The drawing(s) filed on is/are: a)□ accepted or b)□ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)□ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12)□ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)□ All b)□ Some * c)□ None of: 1.□ Certified copies of the priority documents have been received. 2.□ Certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. | | | Application No. | Applicant(s) | | | |
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| Minh D. A 2821 | | | 10/643,102 | | | | |
| - The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ½ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extendinos for time may be available under the positions of 37 CFR 1.38(a), to event, however, may nerby be timely field ### NO period for reply is appelled above. The manerum statisticity priority in the explication to be specified above. The manerum statisticity priority is patient, causer the application for some harmonates (30 st. 0, ± 13). ### For period for reply is applicated box. The manerum statisticity priority is patient, causer the application for some abandones (30 st. 0, ± 13). ### For period for reply is application in office and in the first marking date of this communication. ### For period for reply is application in office and in the first marking date of the communication. ### For period for reply is application in ordination for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. ### Disposition of Claims ### Claim(s) | | Office Action Summary | Examiner | Art Unit | | | |
| Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Exercisions of financings has explained under the provisions of 37 CFR 1.30(a). In or event, however, may a registy be limitely filled - Exercision of financings have been been seen and an exercision of the provisions of 37 CFR 1.30(a). In or event, however, may a registy be limitely filled - If No parolic or registy is possible on the maining date of this communication, seen in standy part of the page plan and wageins, stay (9) MONTHS from the maining date of this communication, even if timely filled, may reduce any extracted patent term adjustment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filled on 1/29/07. 2a) This action is FINAL. | | | | | | | |
| WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNCATION. Extensions of time rapy be available under the provisions of 37 ERT 1.18(a). In ne event, however, may a regly by the friend of the communication. Failuble in grey with the set or called period for region of the communication. Failuble in grey within the set or called period for regional to the provision of the communication. Failuble in grey within the set or called period for regional the provision of the communication. Failuble in grey within the set or called period for regional the provision of the communication. Prior provision of the provision of the communication of the comm | | | pears on the cover sheet with the c | orrespondence address | | | |
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Application/Control Number: 10/643;102

Art Unit: 2821

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-17, 23-25, drawn to an apparatus of a first portion, a second portion, a third portion define a capacitively coupled antenna, classified in class 343, subclass 795.
- II. Claims 18-22, drawn to a capacitance for creating a capacitance and inductive for creating an inductance, classified in class 455, subclass 261.
- 1. Inventions group I and group II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions group I that, they have a different modes such as the first portion, the second portion, the third portion define a capacitively coupled antenna and on the other hand, group II merely defines a capacitance for creating a capacitance and inductive for creating an inductance.
- 2. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu A whose telephone number is (571) 272-1817. The examiner can normally be reached on M-F (5:30 AM-2: 45 PM).

If attempts to reach the examiner by telephone are unsuccessful, the

Application/Control Number: 10/643,102

Art Unit: 2821

examiner's supervisor, Owens Douglas W can be reached on (571) 272-1662. The

fax phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Page 3

Patent Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

Examiner

Minh A

Art Unit 2821

4/14/07

TUYET VO PRIMARY EXAMINER